

Appl. No. 10/673,006
Amdt. Dated August 19, 2005
Reply to Office Action of May 19, 2005

Amendments to the Drawings:

Please amend drawing sheets 1-3, FIGS. 1, 2A and 3 as depicted in the attached
“Replacement Sheets” and “Amended Sheets.”

REMARKS

In response to the Office Action mailed May 19, 2005, Applicant provides this Amendment. In the amendment, Applicant has amended claims 1, 6, 7, 8, 9, 12, 14, 15 and 17, the specification and drawings according to the PTO Action.

The drawings were objected to with respect to reference numbers 49, 105a/105b, 126 and 101. Applicant has amended the specification and the drawings in order to overcome these objections. The enclosed drawing sheets are submitted in order to correct these errors. Applicant has provided both Replacement Sheets and Amended Sheets showing the changes to FIGS. 1, 2A and 3.

The specification was objected to with respect to "Fig. 5" on page 7 and "spring finger 58" on page 7 and "valve 90" on page 11. Applicant has amended those portions of the specification in order to overcome the objections.

Claims 1-5, 7 and 21 were rejected under 35 U.S.C. §112, first paragraph. In the PTO Action, it stated that claims 1 and 21 are rejected because the specification does not disclose how a "single" device can provide a "variable volume orientation." The PTO Action indicated that the specification only discloses "different" devices that may have elements varied in order to dispense different amounts of fluid. Applicant traverses this rejection.

In the specification at page 11, it states that "the button 90 may be formed having a large surface area, the reservoir 10 may have a large volume and the valve assembly may have a large diameter bore and be constructed to deflect easily." This is a discussion of a **single** device such as an "apparatus 20 that has a bristle block head that is to be used for scrubbing pans..." The specification goes on to describe that for such a single device: "any one or all of these

component orientations and sizes [of the button, reservoir or valve] may be adjusted to fine tune the volume dispensing capabilities.” (pg. 12) Thus, the claimed “variable volume orientation” is described with respect to a single device in the specification. As well, one of ordinary skill in the art, in view of the specification, would have understood that the inventor was in possession of a single device that provides an “variable volume orientation” by adjustment of “any one or all of these component orientations and sizes...” Therefore, claims 1 and 21 are enabled.

Claim 5 was rejected under §112, first paragraph. Claim 5 has now been cancelled.

Claim 7 was rejected because the specification does not define a latch lever that includes a finger. Applicant has amended claim 7 to state that the latch lever includes a “latch surface...” in order to overcome the rejection.

Claims 4, 12, 14, 15 and 16 were rejected with respect to improper antecedent basis. Claims 4, 12, 14 and 15 (claim 16 depends from claim 15) have been amended in order to overcome this rejection and provide a proper antecedent basis for these claim elements.

Claims 1-3, 17, 18 and 20-22 were rejected under 35 U.S.C. §102(b) as being anticipated by Holliday et al. patent no. 6,036,391 (“Holliday”). Applicant traverses this rejection.

Holliday fails to teach or suggest each of the elements of independent claims 1 and 17. For example, claim 1 requires “one of the button, valve and reservoir being alterable in size or orientation in order to provide a variable volume orientation of fluid dispensing so that a predetermined volume of fluid is dispensed by the apparatus.” Holliday fails to disclose such features. There is no disclosure in Holliday for a variable volume orientation of fluid dispensing provided by either a button, valve or reservoir being alterable in size or orientation. Other elements of the claim are also not disclosed by Holliday. Therefore, Holliday does not anticipate

claims 1 and 17 and the rejection should be withdrawn. Claims 2-4 depend from claim 1 and claim 18-22 depend from claim 17 and are also allowable.

Claims 6, 7, 8 and 10-16 were rejected under 35 U.S.C. §102(b) as being anticipated by Perry et al. patent no. 6,250,833 ("Perry"). Applicant traverses this rejection.

Claim 6 includes many elements which are not disclosed by Perry. For example, claim 6 includes the limitation of "the latch lever including a tab protruding beyond the open end and a lever arm extending along a bottom of the recess from the open end of the recess toward the closed end." Perry fails to disclose such elements. Perry does not disclose a latch lever including a tab protruding beyond the open end. Also, Perry fails to disclose a latch lever having a lever arm extending along a bottom of the recess from the open end of the recess toward the closed end. Therefore, the rejection of claim 6 under Perry is improper. Claims 7 and 10-16 depend from claim 6 and include all the limitations thereof and are also allowable over Perry.

Claims 6, 8 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Chow et al. patent no. 4,961,662 ("Chow"). Applicant traverses this rejection.

Chow fails to disclose all the elements of claim 6. For example, claim 6 requires a "latch lever including a tab protruding beyond the open end and a lever arm extending along a bottom of the recess from the open end of the recess toward the closed end." Chow fails to disclose any such type of a latch lever which has a tab protruding beyond the open end. As well, Chow fails to teach or disclose a latch lever having a lever arm extending along a bottom of the recess from the open end of the recess toward the closed end. Therefore, the rejection of claim 6 in view of Chow is improper. Claims 8 and 9 depend from claim 6 and include all the limitations thereof and are also allowable.


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Therefore, all of the claims 1-4 and 6-22 are allowable and issuance of the patent with these claims is respectfully requested.

Respectfully submitted,

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By

A handwritten signature in black ink, appearing to read 'David L. Newman', is written over a horizontal line.



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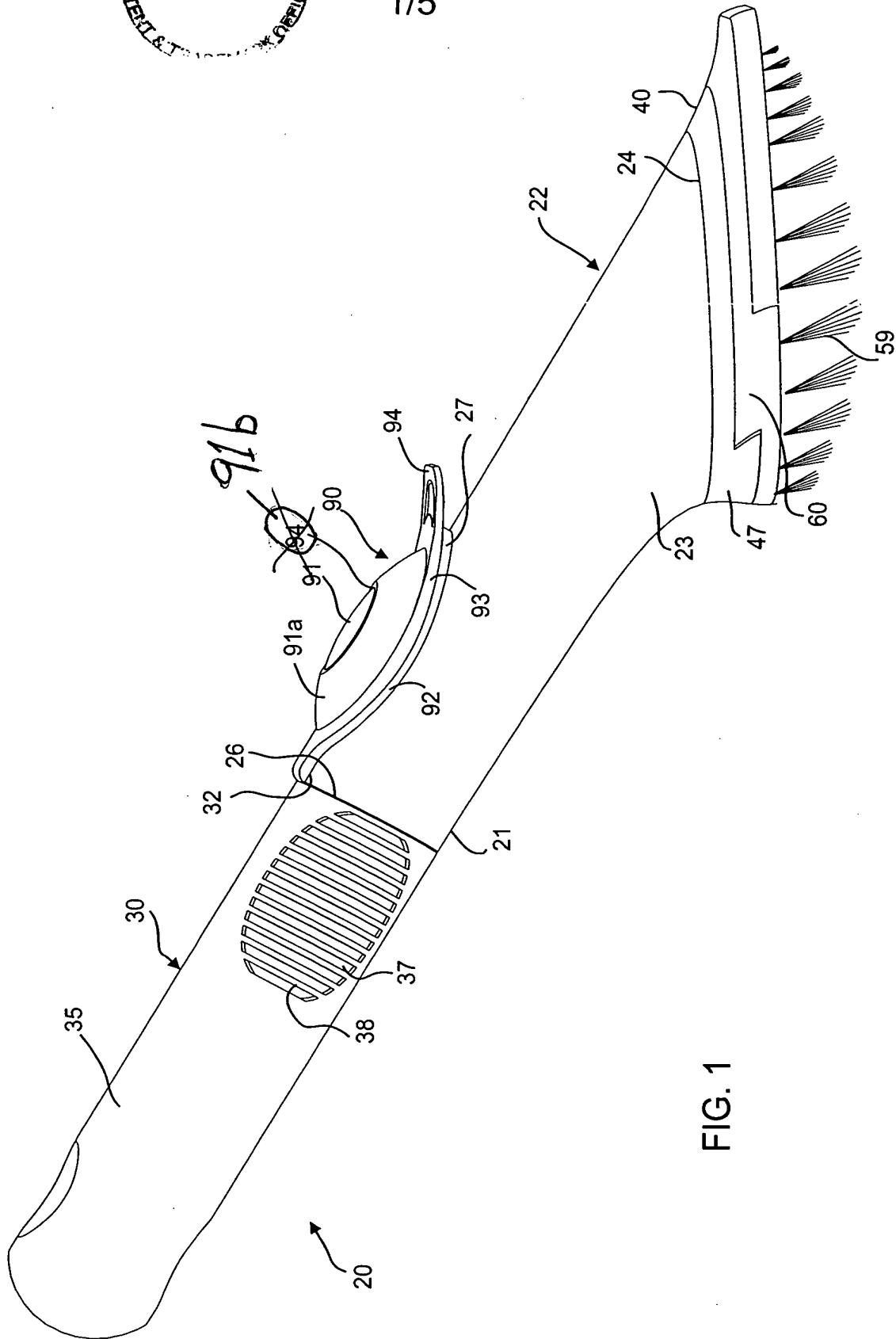
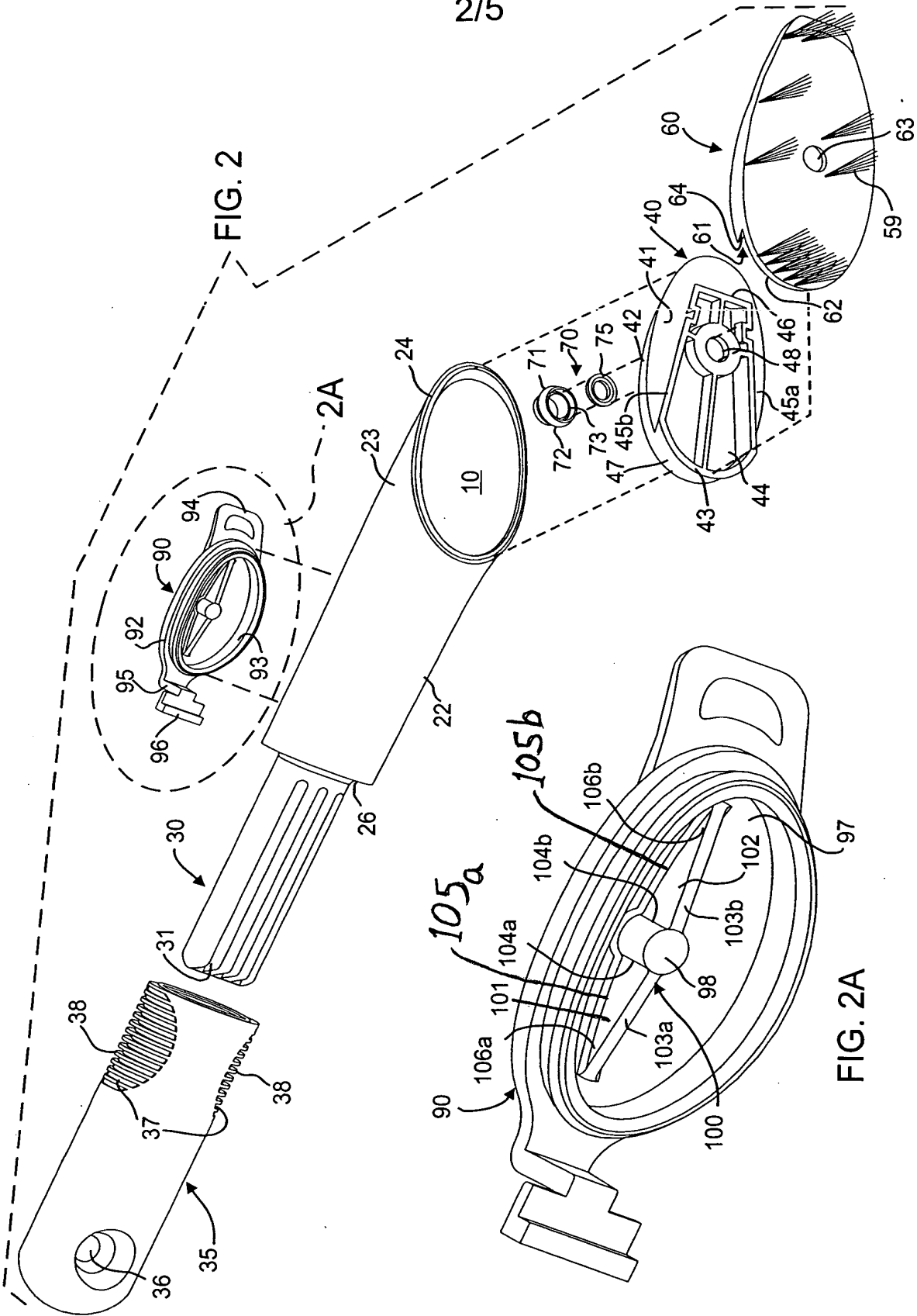


FIG. 1



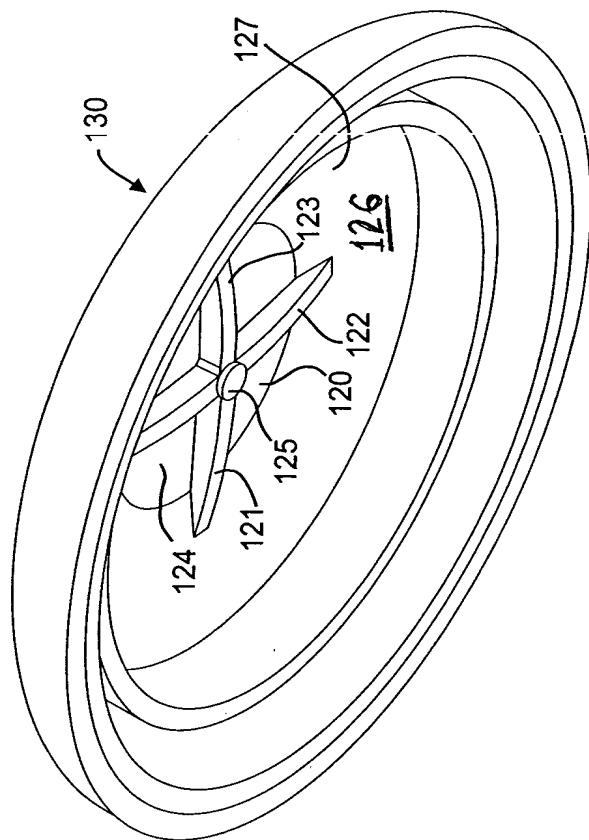


FIG. 3